## REMARKS

Claims 1-14 were presented for examination. By the aforementioned Office Action:

Claim 9 was rejected for being in improper dependent form;

Claims 1-7, 10-12 and 14 were rejected under 35 USC §102(a) as being anticipated by Sandelman et al., (US Patent 6,211,782); and

Claims 8, 9 and 13 were rejected under 35 USC §103(a) as being unpatentable over Sandelman et al. in view of Mensing et al. (US Patent 5,226,112).

By this response, Claim 9 has been amended to correct its dependency, Claims 1-8 and 10-14 remain unchanged, and new Claims 15-20 have been added. Support for these new claims are found in the originally filed specification. No new matter has been added. For the reasons set forth below, reconsideration is respectfully requested.


**Claim Objections**

In response to the rejection of Claim 9 for being in improper dependent form, the claim has been amended to depend from Claim 8.


**Rejection under 35 USC §102**

In response to the rejection of Claims 1-7, 10-12 and 14 in the Office Action, Applicant respectfully but strongly submits that the reference disclosure, Sandelman, does not anticipate Applicant's invention.

Claim 1 relates to a process for applying remotely-stored information to an appliance via a mobile device, wherein the appliance is connected to a first computer system. The process including "designating a first piece of the remotely-stored information to be processed and the appliance to which the first piece of information is to be applied as instructions in the mobile device; sending the instructions from the mobile device to the first computer system via a first network; retrieving the first piece of information and converting the first piece of

information to a format suitable for the appliance; and applying the first piece of information to the appliance for processing according to the instructions." In other words, the process includes forming information transfer instructions on the mobile device, wherein the instructions comprise an identifier that identifies the first piece of remotely-stored information (see page 6, line 31 – page 7, line 12). The instructions are sent from the mobile device to the first computer system via a first network. The first computer system retrieves the information (see page 7, line 15 – Page 8, line 5). The information is converted to a format suitable for the appliance (see page 8, lines 16-18). The converted information is then forwarded to the appliance identified by the appliance identifier for processing thereon. (See Page 8, lines 18-26.)

Sandelman however relates to an electronic message delivery system and method for monitoring of remote equipment. The system includes remote equipment with respective sensors and an interface unit that receives signals from the sensors. The system further includes a central computer server that is in communication with the interface unit and adapted to receive and preferably store messages generated by the interface unit.

According to a first alerting mode of operation in Sandelman, when a sensor detects an exception condition in a piece of remote equipment 2-5, the sensor transmits a signal to the interface unit 10. The interface unit 10 generates an incoming exception message and forwards the message to the server 1 (see abstract). At the server 1, the message is normalized in a normalization module 26 and passed along to a normalized message process module 27. The module 27 selects the user's message profile from a relational database and in accordance therewith, determines what message gets sent to whom and by which medium (see Col. 11, lines 22-27).

According to a second control mode of operation in Sandelman, a user may also control the functioning of a remote equipment via the Internet. The user can enter commands at the website or other Internet interface, and those commands are forwarded to the server 1. In accordance with the user profile, for example, in the same way that exception messages are sent, a command

message may be sent to the remote devices 2-5 through the interface unit 10. Such command messages allow the user to activate, deactivate, and otherwise control the appliance. (See Col. 9, lines 1-8.)

Applicant submits that Sandelman does not disclose all features of Applicant's Claim 1 in either of its two modes of operation. In the alerting mode, it is the appliance that sends the exception message, not a mobile device as recited in Applicant's Claim 1. In other words, according to Applicant's Claim 1, the mobile device is the source while in Sandelman, it is the appliance that is the source. The cited "cellular telephone network" in Claim 19 of Sandelman is only a means for mobile communication by which the appliance sends the exception message (see Col. 7, line 66 – Col. 8, line 9). The use of such a "cellular telephone network" does not make the appliance a mobile device. According to Sandelman, the appliance includes an air-conditioner, a boiler, a motor starter, a heater or any other piece of equipment that may be desired to be monitored (see Page 6, lines 29-32). These equipment are not mobile devices. With regard to the "communication device" in Claim 1 of Sandelman, Applicant submits that the "communication device" is the recipient or destination of the exception message, not the source. Moreover, since the appliance sends the exception message, the exception message does not require the designating of the appliance to which the first piece of information is to be applied as recited in Applicant's Claim 1. In fact, the exception message does not include any recipient of the exception message. Such recipient information is stored on the electronic message delivery server 1 (see Col. 10, lines 42-50).

Furthermore, in Sandelman, there is no converting of the first piece of information to a format suitable for the appliance. In Sandelman, the exception message is normalized and used to determine another readable message that is sent. (See Col. 9, lines 55-61; Col. 10, lines 62-64; and Col. 11, lines 22-27). That is, the exception message is merely used to identify another human understandable message, formatted according to a suitable communication protocol for sending to a communication device, to alert a user of the exception

condition (see Col. 8, lines 17-39); not to a format suitable for an appliance to process or expend the message.

In the second mode of operation, a user uses a web client 121 to access the server 1 to enter a command for activating, deactivating and otherwise controlling an appliance (see Col. 8, line 60 - Col. 9, line 14). Sandelman is silent as to whether the web client is a mobile device. Furthermore, the command is sent, using a suitable protocol, from the server 1 to the appliance without any need to retrieve any information that is required to be converted to a format suitable for the appliance.

Applicant submits that for anticipation under §102, there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. The anticipation requires identity in the claimed elements. Such is not the case between Applicant's claimed invention and Sandelman's teachings as discussed above.

In view of the foregoing, it is submitted that Claim 1 is clearly distinguished from the teachings of Sandelman and thus is allowable under 35 U.S.C. §102 over Sandelman.

For the same reasons, it is submitted that independent Claim 10 is also allowable. Similarly, Claims 2-7; and 11, 12 and 14, which variously depend from Claims 1 and 10 respectively, are also allowable. However, Claim 5 is patentable over Sandelman for the following additional reason.

Claim 5 recites that the mobile device designates the first piece of information by incorporating the location of the first piece of information into the instructions. In other words, the first piece of information is identified by the location from which it can be retrieved. Sandelman does not disclose, teach or suggest such a feature.

**Rejection under 35 USC §103**

In response to the rejection of Claims 8, 9 and 13 in the Office Action for being unpatenable over Sandelman in view of Mensing, Applicant respectfully but strongly submits that Sandelman and Mensing do not either singly or in combination disclose, teach or suggest all the features in Applicant's independent Claims 1 and 10, as explained above.

Accordingly, Applicant submits that Claims 1 and 10 are allowable under U.S.C. §103 over Sandelman in view of Mensing. Dependent Claims 8 and 9, and 13, which variously depend from Claims 1 and 10 respectively, are thus also allowable under U.S.C. §103 over the combination of Sandelman and Mensing. However, Claims 8, 9 and 13 are patentable for the additional reason that there is no suggestion or motivation for combining Sandelman and Mensing.

It is cited in the Office Action that "it would have been obvious to one of ordinary skill in the art, having the teachings of Sandelman et al. and Mensing et al. before him at the time the invention was made, to modify the mobile control system of remote appliances for remote data accessing taught by Sandelman et al. to include the printers and format processing method of Mensing et al., in order to obtain control of not just remote appliances, but printers as well. One would have been motivated to make such a combination because a remote printing system would have been obtained, as taught by Mensing et al."

Applicant submits that Sandelman and Mensing solve problems of very different natures. Sandelman's system relates to controlling and monitoring of remote heating, ventilating, and cooling (HVAC) equipment which includes air-conditioners, boilers, motor starters and heaters. Exception messages from these equipment are sent to one or more communication devices. Mensing's system however relates to a method for translating a plurality of printer page description languages, which is not even remotely related to Sandelman's application. It is cited in the Office Action that Sandelman and Mensing can be combined to "obtain control of not just remote appliances, but printers as well." Printers are however not a HVAC equipment. Therefore, it is submitted that a

person skilled in the art would not be motivated to include any printer in Sandelman's system.

**New Claims**

With respect to the new Claims 15-20, Applicant submits that these claims are also allowable in that they include features similar to those in Claim 1, which as explained above are distinguished from the teachings of Sandelman. However, these new claims are allowable for the following additional reasons.

Claim 15 recites "a <u>mobile device initiated process</u> for transferring information stored outside of the mobile device to an appliance for processing thereon", wherein the process comprises "forming an information transfer instruction <u>on the mobile device</u>, wherein the instruction comprises <u>an identifier that identifies the information</u> and an <u>appliance identifier of the appliance</u>; sending the instruction to a computer system; <u>retrieving the information based on the information identifier</u>; and forwarding the information to the appliance identified by the appliance identifier." Support for the subject matter of this claim is found in Claim 1 and in the specification from Page 6, line 31 to Page 8, line 28. None of the cited references disclose, teach or suggest all the features in this claim.

Claim 16 recites "wherein retrieving the information comprises obtaining the location where the information is stored based on the information identifier; and retrieving the information from the location." Support for the subject matter of this claim is found in the specification from Page 7, line 9 to Page 8, line 5.

Claim 17 recites the process "further comprising <u>registering</u> the information and the location where the information is stored with the computer system." Support for the subject matter of this claim is found in the specification on Page 4, lines 1-30.

Claim 18 recites the process "further comprising <u>registering</u> an <u>identifier of the owner of the information</u> with the computer system, and wherein the information transfer instruction further comprises the owner identifier." Support

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for the subject matter of this claim is found in the specification on Page 4, line13; Page 6, line 6, and lines 19-26; and Page 7, line 4.

Claim 19 recites the process "further comprising requesting the computer system to provide information identifiers associated with a particular owner, and wherein the information for transfer is selected from the information identifiers." Support for the subject matter of this claim is found in the specification on Page 6, line 6.

Claim 20 recites that "the information identifier comprises a uniform resource locator (URL) and retrieving the information comprises downloading information from the Internet using the URL." Support for the subject matter of this claim is found in the specification on Page 9, lines 19-24.
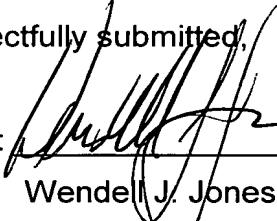
The cited references do not either singly or in combination teach, disclose or suggest all the features in each of Claims 16-20.

In view of the foregoing, it is respectfully submitted that the grounds for the Examiner's rejections have been overcome and Claims 1-20 should be found to be in condition for allowance.


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